

**IN THE UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

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JAMES LUECKE

Creditor

v.

DELPHI CORPORATION, et al. ,

Debtors

Chapter 11  
Case No. 05-44481 (RDD)  
(Jointly Administered)

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**CREDITORS' RESPONSE TO  
ADMINISTRATIVE CLAIM [#18049] OBJECTION  
Pursuant 11 U.S.C. 503(b)**

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**CLAIMANT INFORMATION**

James Luecke 3845 West College Avenue, Milwaukee, WI 53221

phone (414) 421-5729 was an Skilled Trades Employee of the DELPHI

(Delco Electronic Systems) plant 7929 So. Howell Avenue Oak Creek, WI 53054-

2931 at all material times to the bankruptcy.

**BRIEF DESCRIPTION OF CLAIM.**

The Delphi corporation had represented and offered a job transfer under 96a of the  
National Agreement (UAW) and represented that a transfer would be available to James  
Luecke [skilled trades electronic technician and chairman of the skilled trades] and for 23  
skilled trades workers at DELPHI Oak creek plant to Kokomo Indiana plant. Only 2  
skilled trades were transferred. DELPHI changed the classification to deny  
a transfer , and health insurance.

FILED  
U.S. BANKRUPTCY COURT  
2010 MAR 15 P 4:08  
S.D.N.Y.

STATEMENT OF WHY CLAIM SHOULD BE ALLOWED

In the Debtors' objection to claim #[18049] , the debtors' raise improper objections to the material facts of the claim, therefore their objection fails as a matter of law.

The debtors' claim the basis for their objection as "Pension, Benefit, and OPEB Claims" and want the claim to be disallowed and expunged .

This claim was not about pension, , or OPEB. On the contrary the claim is about transfer, and health insurance and transfer due to deceitful acts of the debtor. By changing the job classification and deskilling, with no notice ; this resulted in a denied job transfer, and health insurance as (evidenced in the record ).

Also, the claim including evidence was properly and timely filed, which has not been disputed by the debtors' and the claimant established the prima facia right to payment based on material facts as evidenced in the record. The debtors' offer no reasonable objection and offer a frivolous, erroneous objection at best . Any reasonable Trier of the fact would deem the debtors' improper objection as doomed .

Therefore this claim should stand as a matter of law,

and

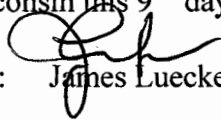
**the claimant is respectfully asking the court to deny the debtors' objection.**

TOTAL AMOUNT OF ADMINISTRATIVE CLAIM [# 18049]

(\$159,000.00) One hundred fifty-nine thousand dollars .

Address of claimant : James Luecke  
3845 w. college ave.  
Milwaukee, WI 53221

Dated at Milwaukee, Wisconsin this 9<sup>th</sup> day of March 2010 .

By :  James Luecke

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**CERTIFICATE OF SERVICE**

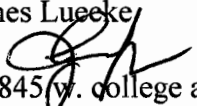
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**1.CREDITOR'S RESPONSE TO ADMINISTRATIVE CLAIM [#18049] OBJECTION**

**CERTIFICATE OF SERVICE**

I James Luecke CERTIFY that a copy of the foregoing has been sent by U.S. Mail to all of the counsel listed in the debtors motion.  
this 21<sup>th</sup> day of October, 2009 .

BY : James Luecke

  
3845 w. college ave.  
Milwaukee, WI 53221  
414 - 421-5729

Dated at Milwaukee Wisconsin this 10<sup>th</sup> day of March 2009.